

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RYAN KATZENBACH

Plaintiff.

V.

PETER RALPH SALVATORE PISANI;
and DOES 1-10 inclusive,

Defendants.

Case No. 2:12-cv-5045-ODW(FFMx)

ORDER TO SHOW CAUSE RE LACK OF PROSECUTION

On August 6, 2012, the Court vacated the entry of default and denied the ex parte application for continuance of the filing deadline as moot, finding that Katzenbach alleged insufficient facts in his Complaint to establish personal jurisdiction over Defendant. (ECF No. 15.) Plaintiff replied on August 27, 2012 (ECF No. 16), and the Court reinstated the entry of default. (ECF No. 17.) The Court also required Plaintiff to file a motion for default judgment within 21 days. (*Id.*)

Instead, Plaintiff filed another Ex Parte Application to Postpone Default Judgment in Favor of Alternative Motion for Relief on September 5, 2012. (ECF No. 18.) On September 6, 2012, the Court denied the application. (ECF No. 19.)

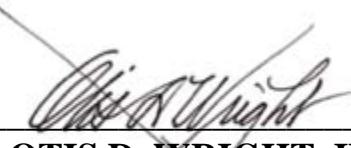
Katzenbach filed a Motion for Default Judgment and for Permanent Injunction on September 19, 2012. (ECF No. 20.) However, on October 1, 2012, the Court issued an Order Striking the Motion for Default Judgment for failure to include

1 Plaintiff's damages calculation in the Motion. (ECF No. 26.) The Order required
2 Plaintiff to refile the motion, if he wished, on or before November 5, 2012. (*Id.*)

3 To date, Katzenbach has not refiled the Motion for Default Judgment.
4 Accordingly, Plaintiff Katzenbach is hereby **ORDERED TO SHOW CAUSE** in
5 writing no later than February 15, 2013, why this action should not be dismissed for
6 failure to prosecute. No hearing will be held. Failure to respond will result in the
7 dismissal of the action.

8 **IT IS SO ORDERED.**

9
10 February 1, 2013

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12 **OTIS D. WRIGHT, II**
13 **UNITED STATES DISTRICT JUDGE**

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